

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

**CRIMINAL MINUTES - INITIAL APPEARANCE, ARRAIGNMENT,
BOND HEARING**

Case No.: 7:19-cr-4

Date: 1/22/2019

Defendants:**James Malcolm Hale, custody****Counsel:****Allegra Black, FPD**

PRESENT:	JUDGE:	Robert S. Ballou	TIME IN COURT: 32 min
	Deputy Clerk:	K. Brown	
	Court Reporter:	K. Brown/FTR	
	U. S. Attorney:	Rachel Swartz (Andrew Bassford)	
	USPO:	Mike Terry	
	Case Agent:	Keith Teehan, ATFE	

INITIAL APPEARANCE

- ☒ Initial Appearance. Defendant(s) advised of charges, rights and nature of proceedings.
- ☒ Defendant requests appointment of counsel. CJA 23 completed; FPD appointed.

ARRAIGNMENT

- ☒ Defendant(s) waives reading of Indictment/Information.
- ☒ Defendant(s) is arraigned and specifically advised of rights (Rule 11 F.R.C.P.).

DEFENDANT(S) PLEADS:

DEF. #	GUILTY	NOT GUILTY	NOLO	REMARKS
2		4		

- ☒ Jury trial set for TBD before Judge Urbanski.
- ☒ Defendant(s) remanded to custody.

Additional Information:

8:52

Parties present and represented by counsel.

FPD appointed.

Government moves for detention.

Opening statements.

Evidence. Keith Teehan, ATFE, sworn. Cross. Court addresses witness. No redirect. Laquonda Saunders, fiancée, sworn.

Cross. Rest.

Argument.

Court addresses defendant. Defendant is not found to be a flight risk. Deft present charged as a felon in possession of a firearm.

Evidence is that deft was stopped in a vehicle by LEO, and finds a firearm in the pocket of deft's sweatshirt. Deft has had previous felony convictions. Record contains robbery, burglary, controlled substance, obstruction of justice, and one outstanding parole violation. Deft is currently on supervision. Deft was in a vehicle that was associated with heroin distribution. Deft not charged with the heroin found in the vehicle at this time. Evidence found is overwhelming that deft is found to be a danger to the community. Home plan is to return to home with fiancée, take care of grandfather, and look for a job. However, there is no meaningful supervision. Deft continues to be involved in criminal conduct. This time with a firearm. Home plan does not overcome the rather substantial evidence. Defendant remanded.

Adjourned.

9:24